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**STATE OF DELAWARE**  
**BOARD OF DENTISTRY AND DENTAL HYGIENE**

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PUBLIC MEETING MINUTES:	<b>BOARD OF DENTISTRY AND DENTAL HYGIENE EXAM APPEAL HEARING</b>
MEETING DATE AND TIME:	<b>Thursday, October 12, 2017 at 6:00 p.m.</b>
PLACE:	<b>Division of Professional Regulation 861 Silver Lake Blvd., Conference Room B Cannon Bldg., Dover, Delaware 19904</b>
MINUTES FOR APPROVAL:	October 19, 2017

**MEMBERS PRESENT**

Dr. Thomas A. Mercer, DDS, Professional Member, Secretary  
Dr. Brian McAllister, DMD, Professional Member, President  
Dr. Ryan Barnhart, DDS, Professional Member  
Dr. Erin Cox, DDS, Professional Member  
Dr. Bruce Matthews, DDS, Professional Member  
Madeyn Nellius, Appeal Panel Public Member  
Dr. Michael Nies, DDS, Appeal Panel Professional Member  
Dr. B. James Rogge, DDS, Appeal Panel Professional Member

**MEMBERS ABSENT**

There were no members absent.

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Meredith Hurley, Administrative Specialist II  
Jennifer Singh, Deputy Attorney General  
Shauna Slaughter, Deputy Director

**OTHERS PRESENT**

Anthony Monteiro  
Don Gouge, Esq.  
Meghann Carter

**CALL TO ORDER**

Dr. Mercer called the meeting to order at 6:00 p.m.

**New Business**

### Dental Exam Appeal Hearing – Anthony Monteiro

The hearing went on record at 6:00 p.m. The Appeal Panel members were introduced. Ms. Singh stated that today's hearing was held at the request of Dr. Anthony Monteiro, based on his failure of the Delaware dental examination. Ms. Singh marked as Appeal Exhibit 1: Examination Guidelines for the examiners, the June 2017 Examination schedule and candidate letter, the dental candidate guidelines, the exam score sheets for Anthony Monteiro and the letter noticing Dr. Monteiro of the Appeal Panel hearing.

Dr. Mercer was sworn in and testified that the purpose of the clinical examination is to test for competence. He stated how the candidates are scored in each section of the examination. There were five examiners for the examination and their scores are tallied and averaged.

Mr. Gouge, Dr. Monteiro's legal counsel, stated that the amount of time given for the exam was an issue for Dr. Monteiro. Mr. Gouge stated the examinees are given 3.5 hours to complete the exam but it appeared that Dr. Monteiro was short his time by 12-15 minutes according to the sign-in sheet.

Mr. Gouge called Meghann Carter as his first witness. Ms. Carter was sworn in and testified as to her experience as Dr. Monteiro's assistant during the June 2017 dental exam. Ms. Carter stated that she felt Dr. Monteiro did not get the same amount of time to finish his crown procedure due to the questions he had about modifications.

Mr. Gouge called Dr. Monteiro to be sworn in. Dr. Monteiro stated he has a dental license in Pennsylvania and his primary practice is in pediatric dentistry. During the exam he had many questions about the modifications and terminology in the crown procedure as this was not his area of expertise. Towards the end of the exam he stated that he had asked an examiner how much time he had left but there appeared to be a discrepancy with the sign-in sheet with no time entered. He stated he was the last person to start the exam and felt that he could have finished his procedure if given his fully allotted time.

Mr. Gouge questioned Dr. Mercer as to the check-in and start time process. Dr. Mercer advised that when the candidate and their patient are ready there is a start time written on their check out sheet with two examiners signing off on the time. No two candidates start at the same time due to the nature of the exam.

Dr. McAllister was then sworn in and questioned by Mr. Gouge as to the start time for Dr. Monteiro. Dr. McAllister remembered having a discussion with Dr. Monteiro as to the start time being blank but stated that they mutually agreed upon a time to write on his check out sheet.

Dr. Rogge asked Dr. Monteiro about the questions he had with the exam and if they were asked prior to his start time or during his exam time. Dr. Monteiro stated he asked his questions after the group orientation had finished.

The Appeal Panel entered into deliberations.

After deliberating, a motion was made by Ms. Nellius, seconded by Dr. Rogge, to deny the appeal of Dr. Monteiro. The motion carried unanimously.

The hearing went off record at 6:54 p.m.

Verbatim testimony was recorded.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 6:55 p.m.

Respectfully submitted,

*Meredith Hurley*

Administrative Specialist II